

FOR UTILITY/DESIGN
CIP/PCT NATIONAL/PLANT
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL
DECLARATIONS

RULE 63 (37 C.F.R. 1.63)
DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PM & S
FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED USE OF ELECTROMAGNETIC FIELDS IN CANCER AND OTHER THERAPIES

the specification of which (CHECK applicable BOX(ES))
X A. ☒ is attached hereto.
BOX(ES) → B. ☐ was filed on _____ as U.S. Application No. _____ /
→ C. ☐ was filed as PCT International Application No. PCT/ _____ / _____ on _____

and (if applicable to U.S. or PCT application) was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

| PRIOR FOREIGN APPLICATION(S) | Date first Laid- | Date Patented | Priority NOT Claimed |
|------------------------------|-------------------|---------------|----------------------|
| Number | open or Published | or Granted | |

If more prior foreign applications, X box at bottom and continue on attached page.

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

| PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S) | Status | Priority NOT Claimed |
|--|------------------------------|----------------------|
| Application No. (series code/serial no.) | pending, abandoned, patented | |
| 60/179738 | Pending | |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Madison & Sutro LLP, Intellectual Property Group, 1100 New York Avenue, N.W., Ninth Floor, East Tower, Washington, D.C. 20005-3918, telephone number (202) 861-3000 (to whom all communications are to be directed), and the below-named persons (of the same address) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete names/numbers below of persons no longer with their firm and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above firm and/or a below attorney in writing to the contrary.

| | | | | | | | |
|--------------------|-------|--------------------|-------|----------------------|-------|-------------------|-------|
| Paul N. Kokulis | 16773 | Paul E. White, Jr. | 32011 | Stephen C. Glazier | 31361 | Adam R. Hess | 41835 |
| Raymond F. Lippitt | 17519 | Glenn J. Perry | 28458 | Ruth N. Morduch | 31044 | William P. Atkins | 38821 |
| G. Lloyd Knight | 17698 | Kendrew H. Colton | 30368 | Richard H. Zaitlen | 27248 | Paul L. Sharer | 36004 |
| Kevin E. Joyce | 20508 | G. Paul Edgell | 24238 | Roger R. Wise | 31204 | | |
| George M. Sirilla | 18221 | Lynn E. Eccleston | 35861 | Jay M. Finkelstein | 21082 | | |
| Donald J. Bird | 25323 | Timothy J. Klima | 34852 | Michael R. Dzwonczyk | 36787 | | |
| Peter W. Gowdey | 25872 | David A. Jakopin | 32995 | W. Patrick Bengtsson | 32456 | | |
| Dale S. Lazar | 28872 | Mark G. Paulson | 30793 | Jack S. Barufka | 37087 | | |

(1) INVENTOR'S SIGNATURE: Theodore A. Litovitz Date: Dec 7, 2000

| | | |
|---------------------|-----------------------|------------------------|
| Theodore | A. | Litovitz |
| First | Middle Initial | Family Name |
| Residence | Annapolis | Maryland |
| City | State/Foreign Country | Country of Citizenship |
| Post Office Address | 3022 Friends Road | |
| (include Zip Code) | 21401 | |

(2) INVENTOR'S SIGNATURE: _____ Date: _____

| | | |
|---------------------|-----------------------|------------------------|
| _____ | _____ | _____ |
| First | Middle Initial | Family Name |
| Residence | _____ | _____ |
| City | State/Foreign Country | Country of Citizenship |
| Post Office Address | _____ | |
| (include Zip Code) | _____ | |

FOR ADDITIONAL INVENTORS, "X" box ☐ and proceed on the attached page to list each additional inventor.
☐ See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. PM20321/0268252
(M#)

Inventor(s): Litovitz, Theodore A.

Appin. No. /

or Patent No.:

PMS 20321 / 0268252

Filed:

or Issued:

M# / Client Ref.

Title: USE OF ELECTROMAGNETIC FIELDS IN CANCER AND OTHER THERAPIES

SMALL ENTITY STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27 (b)) - **NONPROFIT ORGANIZATION**

I hereby state that I am an official empowered to act on behalf of the nonprofit organization identified below.

NAME OF ORGANIZATION THE CATHOLIC UNIVERSITY OF AMERICAADDRESS OF ORGANIZATION 620 Michigan Avenue, Wash. ington, DC 20064

TYPE OF ORGANIZATION

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3)) IF
LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED
STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby state that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, with regard to the invention entitled as above, invented by the above inventor(s) and described in

- x → ☒ the specification filed herewith
- one → ☐ Application No. /, filed
- box → ☐ Patent No. _____, issued

I hereby state that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each small entity individual, concern or organization having rights to the invention is listed below in (A) and (B) and no rights to the invention are held by any person other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e)

(A) FULL NAME of assignee/licensee/grantee/conveyee*

ADDRESS

- ☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

(B) FULL NAME of assignee/licensee/grantee/conveyee*

ADDRESS

- ☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

*NOTE:

Separate statement is required from each person, concern or organization named in (A) and (B) above having rights to the invention, averring to his/her/its status as a small entity. (37 CFR 1.27)

I acknowledge the duty to file, in this case, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING

Ralph H. Beaudoin

TITLE IN ORGANIZATION

Vice President for Finance & Treasurer

ADDRESS OF PERSON SIGNING

Cardinal Station, 260 Leahy Hall

Washington, DC 20064

SIGNATURE

Ralph H. Beaudoin

DATE

December 7, 2000



Inventor(s): Litovitz, Theodore A.

Appln. No. / or Patent No. _____

Filed: _____ or Issued: _____

PMS 20321 / 0268252

M# / Client Ref.

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 (NAME OF STATE _____)
 (CITATION OF STATUTE _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) AND 501(c)(3)) IF
 LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED
 STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
 (NAME OF STATE _____)
 (CITATION OF STATUTE _____)

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- x → ☒ the specification filed herewith
 one → ☐ Application No. _____, filed
 box → ☐ Patent No. _____, issued

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(A) FULL NAME of assignee/licensee/grantee/conveyee*
 ADDRESS

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

(B) FULL NAME of assignee/licensee/grantee/conveyee*
 ADDRESS

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

*NOTE: Separate statement is required from each person, concern or organization named in (A) and (B) above having rights to the invention, averring to his/her/its status as a small entity (37 CFR 1.27)

I acknowledge the duty to file, in this case, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b))

NAME OF PERSON SIGNING

Ralph H. Beaudoin

TITLE IN ORGANIZATION

Vice President for Finance & Treasurer

ADDRESS OF PERSON SIGNING

Cardinal Station, 260 Leahy Hall

Washington, DC 20064

SIGNATURE

Ralph H. BeaudoinDATE December 7, 2000